

RESOLUTION NO. 42-2023 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, APPROVING THE LOCALLY FUNDED AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR LIGHTING IMPROVEMENTS TO STATE ROAD A1A; AND PROVIDING FOR REPEAL OF CONFLICTS AND AN EFFECTIVE DATE

WHEREAS, the City of Lake Worth, Florida (“City”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes;

WHEREAS, the Florida Department of Transportation (“FDOT”) has jurisdiction over State Road A1A (also known as S. Ocean Boulevard) within the jurisdictional boundaries of the City; and

WHEREAS, FDOT seeks to install certain lighting improvements on S. Ocean Boulevard (specifically from Mile Post 20.348, the roadway along Barton Park to Mile Post 20.594, the north side of the Lake Avenue and S. Ocean Blvd. intersection) within the City’s boundaries, to include decorative lighting, and

WHEREAS, on July 25, 2023, the City approved Amendment No. 1 to the Maintenance Memorandum of Agreement to expand the Federal Highway (SR-5) project to include decorative lighting to be installed along SR-A1A (S. Ocean Drive) within the City’s boundaries and to have the City maintain the improvements after installation; and

WHEREAS, FDOT is providing funding for most of the improvements being made to S. Ocean Boulevard within the City; however, the City is required to provide local funding for the decorative improvements to match existing decorative improvements; and

WHEREAS, FDOT has proposed a Locally Funded Agreement which provide the responsibilities of FDOT and the City with regards to the installation of the improvements, the funding of the improvements, and a Three-Party Escrow Agreement to be established for the deposit and withdrawal of the project’s funding; and,

WHEREAS, the improvements project detailed in the Locally Funded Agreement is in the best interests of both the City and FDOT; and,

WHEREAS, the City Commission has determined that entering the Locally Funded Agreement with FDOT serves a valid public purpose.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

Section 1. The foregoing recitals are hereby incorporated into this Resolution as true and correct statements.

Section 2. The City Commission hereby approves the Locally Funded Agreement with FDOT for the decorative lighting improvements to be installed by FDOT and directs the Mayor and City Clerk to execute the same including the exhibits thereto. A copy of this Resolution shall be provided to FDOT along with the executed agreement.

Section 3. All resolutions or parts of resolutions are hereby repealed or amended to the extent that they are in conflict with this Resolution.

Section 4. This Resolution shall become effective immediately upon passage.

The passage of this Resolution was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

- Mayor Betty Resch
- Vice Mayor Christopher McVoy
- Commissioner Sarah Malega
- Commissioner Kimberly Stokes
- Commissioner Reinaldo Diaz

The Mayor thereupon declared this resolution duly passed and adopted on the ____ day of _____ 2023.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk